

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

June 7, 2012

Honorable President and Members
of the City Council of Baltimore
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Attn: Karen Randle
Executive Secretary

Re: Council Bill 12-0084 - Midtown Community Benefits District and
Management Authority-Renewal through June 30, 2016

Dear President and City Council Members:

The Law Department has reviewed Council Bill 12-0084 for form and legal sufficiency. The bill is for the purpose of renewing and continuing the Midtown Community Benefits District and the Management Authority.

Article II, section 63(h)(1) of the Baltimore City Charter states "The Mayor and City Council shall review the effectiveness and desirability of continuing the existence of each community benefits district established under this section every 4 years." The section lists the Midtown Community Benefits District. With regard to the District, Article 14, Section 7-16 of the Baltimore City Code provides that "no later than 4 years after the enactment of this subtitle and every 4 years thereafter, the Mayor and City Council shall hold 1 or more public hearings to evaluate the activities and undertakings of the Authority and the District. At the conclusion of the hearings, the Mayor and City Council shall determine whether the District is to continue for another 4 years." We note that Article 14, Section 7-14(e) of the City Code requires the Board of Estimates to be "the final arbiter and decision maker regarding the approval and renewal process for the District...."

Assuming the City Council follows the procedures for the renewal of the District and the Authority and by this resolution sets forth its findings and refers the matter to the Board of Estimates to perform its duties with regard to the renewal, the Law Department will approve the bill for form and legal sufficiency.

Very truly yours,



F/Comment



Victor K. Tervala
Assistant Solicitor

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor
Hilary Ruley, Assistant Solicitor